

Chairman Vincent and Committee Members, my name is Kerri Payne

July 25, 2018

Exhibit 9

I am here today to testify against LCdog#3 as currently proposed.

I am in agreement with Mr. Aspenlinger that the current statues as written should be repealed. I am also in agreement with Representative Ellis that the current bill does not address the original complaint as outlined in the Summary "Can't Let Sleeping Dog's Lie". The original issue was dog training not field trials.

Chairman Vincent at the EQC meeting in January you stated that one of the purposes of the interim Committee was to help solve problems, that the committee does not get that opportunity very often and you were kind of excited to do so. I along with many other members of the bird dog training community have testified before this committee that we want to help and work with you to come up with a solution regarding this issue. So it is in that spirit that I am asking the committee to consider making the following changes to LCdog 3.

Section 1. (2) Change to read:

"Field Trial" means an organized event run under the rules of a National affiliate to examine, evaluate or test the ability of bird hunting dogs to point, flush or retrieve game birds.

A National affiliate would be the AKC, HRC, NSTRA and any other national organization where clubs hold sanctioned events where participates can earn points towards titles as well as qualifications to run in National events.

Add ^{to} section 1. (4) "Captive reared game bird" means a game bird that is hatched and raised at a game farm.

Changes in Section 2

1. Training bird hunting dogs is allowed on public and private lands

2. A Training permit is not required to train bird hunting dogs on private land.

3. A Training Permit is required to train dogs on Public Land ^{bird hunting dogs}

4. A permit is not required to exercise or train dogs in area's open to public use when no attempt to take wild game birds is made.

5. Individuals may pursue wild game birds from July 14th through April 1st but wild game birds may only be killed during the hunting season for that species. ~~A firearm firing blanks may be used in training outside of the hunting season.~~

6. Dog training using captive reared game birds is allowed on public lands year round - except in wildlife management area's that have posted closures, provided:

- The person possessing captive reared game birds has a valid permit from MT FWP
- Any captive reared game bird killed shall be marked, ^{tagged} ~~tagged~~ or toe clipped prior to use.
- The person or organization provides proof of purchase of captive reared game birds.
- Permit may be revoked if a MTFWP representative directly observes a violation of any game bird, training or hunting laws.

Changes to New Section 3.

Section 3. 2 (b) "Field trials on public land are prohibited from April 1 through August 31." This section needs

to be repealed. Many of you have received several comments regarding this section. I would like to add some other reasons why the committee should consider removing this section as well. Representative Curdy one of your concerns was the possibility of an invasive bird species being introduced. The Field trials that run on wild birds do not plant or release or release birds. The field trial permit for the Spaniel and Retriever events requires to list the birds that are to be used, so any birds used in a FT is approved by FWP.

From 1-1-17 to 7-31-18 there have been 32 FT in the State of MT. Of those 32 FT's 29 were or will be held between April 1st and August 31st. Of the 29 events 1 was cancelled – 18 of the events were or will be held on private land the other 5 of the 11 were held on a combination of private and public lands and 6 were held on public lands only. Most of these trials take place in regions 3 & 4. Montana is slated to host two national Events in June of 2019. These events will run over a period of a week. However, there is a week to two weeks of pertaining that will take place before the events. These events will bring in at a minimum of between 150 to 250 thousand dollars into the communities of Ronan and Butte. That does not include what will be brought in after the event when the contestants go into vacation mode after the events.

Not only do these events have an economic impact on the communities in which they are held there is also positive environment impacts as well. Many of the funds raised from these events are put right back into the grounds in which these events are held. There is road maintenance, noxious weed control, dike and pond repairs. MHGDC helps FWP with the public land that is leased with not only road and weed maintenance but has also built a bridge, provided a picnic table as well as provides and maintains a public restroom. All of these funds come from the events that the club sponsors.

Section 3-2 Refer to Bill

Remove Section 4, if you remember correctly it was a proposed rule by FWP based upon two complaints those who complained never actually witnessed any of the actions described in their letters. There were also many undocumented complaints - but what those complaints were we don't know. It was and still is very disconcerting to me that it only takes two unsubstantiated claims to cause FWP to make rule changes.

The rest of the LCdog3 appears to be moving and relocating current statue for the sake of trying to provide continuity.

I would ask the committee to remember that the dog training community takes a great interest in our public resources and that we do strive to be responsible stewards of these resources be it on private or public lands.

Thank you for your time.